

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS AND
PRELIMINARY AMENDMENT

Attorney Docket No.: Q97406

Application No.: 10/599,680

REMARKS

Amendment

In the Amendment, claim 1 is amended to limit the definition of “R” to read “R is independently saturated or unsaturated C6-C18 alkyl group,” without disclaimer or prejudice. The amendment is supported by the original disclosure, e.g., Examples 1-42. No new matter is introduced.

Claim 2 is amended to correct typographical errors.

This responds to the Restriction and Election of Species Requirement dated October 16, 2008.

Response to Restriction Requirement

In response to the Restriction Requirement, Applicants elect for examination **Group I, claims 1, 6 and 7**. This election is made without traverse.

Response to Species Election Requirement

This responds to the Election of Species Requirement dated October 16, 2008. The Examiner has identified the application as containing claims directed to more than one distinct species. The Examiner has required the Applicants to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted.

The Examiner believes claim(s) 1-7 is/are generic.

In response to the Examiner’s requirement, Applicants elect for examination the **compound in Example 34, that is pentaerythritol ethoxylate (15/4 EO/OH) glycolic ester**

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ethoxylate lauryl ether (pentaerythritol ethoxylate (15/4 EO/OH) lauryl-6 carboxylate) on

which claims 1, 6 and 7 are readable.

This election of species is made **with traverse** as it is believed that no burden would exist if the election requirement was not maintained. Furthermore, Applicants respectfully submit that all alternatives (species) in the currently amended claim 1 have a common property or activity; and a significant structural element is shared by all of the alternatives. Therefore, the **species election requirement is not proper and its withdrawal is respectfully requested.**

Applicants submit that if any of the elected claims is found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

Applicants reserve the right to file a Divisional Application directed to non-elected claims 2-5.

Respectfully submitted,

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